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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

No. CR 16-00607M

13 Plaintiff,

GOVERNMENT'S NOTICE OF LODGING OF
TRANSCRIPTS FROM HEARING BEFORE
MAGISTRATE JUDGE IN THE EASTERN
DISTRICT OF NEW YORK

14 v.

15 MARSHA GAY REYNOLDS,

16 Defendant.
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19 Plaintiff United States of America, by and through its counsel
20 of record, the United States Attorney for the Central District of
21 California and Assistant United States Attorney Reema M. El-Amamy,

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1 hereby lodges transcripts of the hearings on March 24, 2016 and March
2 25, 2016 before the Honorable Viktor V. Pohorelsky, United Magistrate
3 Judge in the Eastern District of New York.

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6 Dated: March 31, 2016

Respectfully submitted,

7 EILEEN M. DECKER
8 United States Attorney

9 LAWRENCE S. MIDDLETON
10 Assistant United States Attorney
11 Chief, Criminal Division

12 /s/
REEMA M. EL-AMAMY
Assistant United States Attorney

13 Attorneys for Plaintiff
14 UNITED STATES OF AMERICA
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EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
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Plaintiff, : 16-MJ-00284 (VVP)
:
v. : March 24, 2016
:
MARSHA-GAY REYNOLDS, : Brooklyn, New York
:
Defendant. :
-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT
BEFORE THE HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: ALICIA WASHINGTON, ESQ.
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For the Defendant: DENNIS RING, SEIFAN, ESQ.
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Court Transcriber: SHARI RIEMER, CET-805
TypeWrite Word Processing Service
211 N. Milton Road
Saratoga Springs, New York 12866

Proceedings recorded by electronic sound recording,
transcript produced by transcription service

1 (Proceedings began at 2:42 p.m.)

2 THE CLERK: This is Criminal Cause for Arraignment on
3 a removal complaint to the Central District of California, USA
4 v. Marsha-Gay Reynolds, Case No. 16-M-284.

5 Counsel, your name for the record.

6 MS. WASHINGTON: Alicia Washington for the United
7 States, and with me Carolyn Poris who is a special agent with
8 DEA. Good afternoon, Your Honor.

9 MR. RING: For Ms. Gay Reynolds, Dennis Ring, R-I-N-
10 G. Good afternoon, Your Honor.

11 MR. MAZARIN: Good afternoon, Your Honor. Brad
12 Mazarin also for Ms. Reynolds.

13 THE COURT: Good afternoon. Agent Poris, is it?

14 AGENT PORIS: Yes.

15 THE COURT: Would you raise your right hand, please.
16 Do you solemnly swear that the information in this petition
17 regarding the removal of Marsha-Gay Reynolds to the Central
18 District of California is true to the best of your knowledge
19 and belief?

20 AGENT PORIS: I do.

21 THE COURT: Ms. Reynolds, the purpose of the
22 proceeding today is to insure that you understand the charge
23 that you face. I'll advise you of certain rights you have as
24 a defendant in a criminal case. We'll schedule any further
25 proceedings that may be necessary here related to this case

1 and we'll address the question of bail.

2 Who will be speaking?

3 MR. RING: I will, Your Honor.

4 THE COURT: Mr. Ring, did you receive a copy of the
5 removal petition and the documents annexed to it and have you
6 reviewed that with Ms. Reynolds?

7 MR. RING: Yes, I have, Your Honor.

8 THE COURT: Are you satisfied she understands the
9 charge?

10 MR. RING: Yes.

11 THE COURT: Ms. Reynolds, you were arrested here
12 based on a warrant that was issued in the Central District of
13 California based on a complaint which charges Marsha-Gay
14 Reynolds with possession of cocaine with the intention of
15 distributing it. Do you understand that, Ms. Reynolds?

16 THE DEFENDANT: Yes.

17 THE COURT: Do you understand the charge? You have
18 to speak loudly and --

19 THE DEFENDANT: Yes, I do.

20 THE COURT: You have the right to remain silent.
21 That means you need not make any statement about the charge to
22 anyone. Any statements you make except for statements to your
23 attorneys could be used against you.

24 You have the right to have an attorney represent you
25 in all proceedings. If you cannot afford an attorney the

1 court will appoint an attorney tor represent you at the
2 court's expense. I understand that you have retained counsel,
3 Mr. Ring and Mr. -- I'm sorry, Mazarin.

4 MR. MAZARIN: Mazarin, yes.

5 THE COURT: You've been retained and have entered a
6 general notice of appearance with respect to proceedings here?

7 MR. MAZARIN: Yes, we're retained with respect to the
8 proceedings here. My understanding is she has an attorney out
9 in California as well.

10 THE COURT: All right. But that's -- as to all
11 proceedings here you will represent Ms. Reynolds.

12 MR. MAZARIN: Yes, Your Honor.

13 THE COURT: You have the right to what's known as an
14 identity hearing, Ms. Reynolds, which means you have a right
15 to have it determined here whether you are the same person
16 that's named in the arrest and complaint that was issued in
17 the Central District of California.

18 Counsel, have you discussed with Ms. Reynolds
19 whether an identity hearing is -- should be conducted here?

20 MR. RING: Yes, I have, Your Honor, and we've waived
21 an identity hearing.

22 THE COURT: And have you discussed that with Ms.
23 Reynolds?

24 MR. RING: Yes.

25 THE COURT: Do we have a waiver form?

1 MS. WASHINGTON: Yes, Judge.

2 MR. RING: She's executed it.

3 THE COURT: Ms. Reynolds, did you understand what I
4 explained to you about having an identity hearing?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Your attorney tells me you're willing to
7 waive that right. Is that correct?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: I have a document here that memorializes
10 the waiver. Is this your signature?

11 THE DEFENDANT: Yes, it's my signature.

12 THE COURT: Very well. I will not schedule an
13 identity hearing here.

14 What is the Government's position with respect to
15 bail?

16 MS. WASHINGTON: Your Honor, the Government requests
17 that the defendant be removed in custody. The defendant is
18 charged with a very serious drug offense and it's pursuant to
19 Title 21. So there's a presumption that she is both a flight
20 risk and a danger to the community.

21 The defendant is alleged to have attempted to bring
22 in through security a significant amount of cocaine which
23 weighed approximately 30 kilos and has a street value of
24 approximately \$3 million.

25 Some information that's not reflected in the

1 Pretrial Services Report but that Your Honor should be aware
2 of is that the defendant's status with her employer is now
3 suspended pending investigation and therefore she lacks any
4 employment which makes her a flight risk.

5 Also, the defendant has significant ties to Jamaica
6 where she is born and we believe that she has extensive
7 travel.

8 Additionally, she has advised that the co-
9 conspirator also has ties to a foreign country, specifically
10 Jamaica and that he was making efforts to flee the country as
11 recently as last night and that according to her he has the
12 ability to obtain travel documents in other names. It's the
13 Government's belief that this defendant as every incentive to
14 flee the country particularly where she is now facing a
15 mandatory minimum of ten years in light of the amount of drugs
16 that she possessed and the ability for her to possibly receive
17 travel documents in another name through this co-conspirator.

18 THE COURT: Counsel.

19 MR. RING: Judge, we ask that she be released on
20 reasonable bail. She is not a flight risk nor is she a danger
21 to the community.

22 Upon coming back to New York she retained counsel in
23 California who contacted the U.S. Attorney's Office in
24 California to arrange for her to fly out there, surrender
25 herself, face the charges there and go forward. The case

1 itself then subsequently garnered a great deal of media
2 attention. The U.S. Attorney's Office out in California, not
3 the Eastern District, then apparently changed their position
4 as to whether or not she should be allowed to do that and
5 instead they said they wouldn't allow that. So what did she
6 do? She self surrendered here. She turned herself in with
7 her mother. My client is 31 years old. She has no prior
8 criminal contacts whatsoever. She's a United States citizen.
9 She's lived with her family here in New York City for the past
10 15 years. Her mother and I would estimate about -- her father
11 as well and probably about ten other family members are here
12 in the courtroom as well as her pastor. She has strong ties
13 to the community and there's no indication that she's a flight
14 risk.

15 I indicated she's a U.S. citizen. She's a graduate
16 of NYU. She also has an associate's degree from Mercy College
17 and she's currently in addition to having worked for Jet Blue
18 for the past six years as a full time flight attendant she's a
19 full time nursing student as well currently as we speak. So
20 while she may be suspended by Jet Blue she still is going to
21 continue to go to nursing school to obtain her nursing degree.

22 Judge, the -- I would point out Pretrial Services
23 recommends that she be given bail, that she doesn't be
24 detained. They indicated a substantial bail package would be
25 sufficient as long as her parents would be willing to do so

1 and to sign. I've spoken to the family. They're willing to
2 sign a bond on this. The family has approximately \$500,000 it
3 seems to me in equity in various properties that they could
4 use to secure a bond and with that, Judge, there's absolutely
5 no indication she wouldn't head out to California like she was
6 going to on this case prior to the media interest in it.

7 So based upon that, Judge, I respectfully request
8 that a reasonable bail package be set by Your Honor and my
9 client be freed on that.

10 THE COURT: What do you propose?

11 MR. RING: I would propose, Your Honor, a \$500,000
12 secured bond would be reasonable. Her family who's she very
13 close with, very tight with, they will be securing that --
14 family and family friends, Judge. I want to be clear on that.
15 Including her pastor as one of the folks who's indicated that
16 they would be more than happy to secure. They know she's not
17 going to flee.

18 THE COURT: Do you have specific properties in mind?

19 MR. RING: We have two properties in mind, Your
20 Honor, that I believe there's approximately \$500,000 in
21 equity.

22 THE COURT: Whose properties are those?

23 MR. RING: Your Honor, her mother is one of the
24 properties, Your Honor, and the other one -- the other
25 property is the property of Reverend Doctor Slater who's here

1 also and she's willing to put up -- she has a very close
2 relationship with the defendant and is willing to put up her
3 house as well. So there's two homes, specific homes.

4 THE COURT: Do you have -- have you provided the
5 Government with any proof concerning the value of the homes
6 and the equity?

7 MR. RING: Not as of yet, Judge, but what I do have I
8 can basically -- the Slater home is I believe is the more
9 significant of the two and there's about -- roughly \$350,000
10 in equity in that home and we can certainly get the -- we just
11 got this case recently and we can certainly get the proof
12 together as to -- and provide it so that everyone would be
13 satisfied with that.

14 THE COURT: The Government -- I have one quick
15 question for the Government and then you can respond if you
16 wish, Counsel.

17 Does the Government -- does the United States have
18 an extradition treaty with Jamaica?

19 MS. WASHINGTON: Your Honor, I would have to get back
20 to you on that.

21 THE COURT: Do you know, Counsel?

22 MR. RING: I think we do.

23 MS. WASHINGTON: I thin we do but --

24 MR. RING: I believe we do. I don't know for
25 certain, Judge. I don't want to misrepresent that.

1 THE COURT: So we have a lot of uncertainty here. Go
2 ahead.

3 MS. WASHINGTON: Just to briefly respond to the
4 arguments that were made. Again, I represented the amount of
5 the drugs that were recovered is approximately \$3 million. So
6 it's the Government's position that whatever property is being
7 posted the amount of drugs is significantly or the value of
8 those drugs is significantly higher than any property that
9 would be posted to secure her --

10 THE COURT: But that property -- that property, the
11 drug property is in the possession of the Government.

12 MS. WASHINGTON: That is correct.

13 THE COURT: I mean while that's not an insignificant
14 amount it's not money that's available to the defendant.

15 MS. WASHINGTON: True, Your Honor, but the Government
16 -- the Government has reasons to believe that this is not the
17 only time that the defendant has engaged in this conduct.

18 Furthermore, the defendant took advantage of her
19 position as a pre-screened crew member who had a security
20 clearance and so I know the defendant has made statements
21 about she's in nursing school but again, the defendant abused
22 the trust and the security clearance that she had. So it's
23 the Government's position that the defendant should be removed
24 in custody and if Your Honor is inclined to release the
25 defendant I would ask for a brief stay so that the U.S.

1 Attorney's Office in the Central District of California can
2 appeal to the district court there.

3 THE COURT: All right. Well, you are entitled to
4 that.

5 Is there anything further anybody wants to say?

6 MR. RING: No, Your Honor.

7 THE COURT: I believe that Ms. Reynolds is -- that a
8 bail package of the nature that's proposed by the defendant is
9 sufficient to assure her presence and the safety of the
10 community.

11 MS. WASHINGTON: Your Honor, if --

12 THE COURT: Subject of course to proof as to the
13 value of the property and the court would also impose
14 electronic location monitoring on the defendant.

15 The Government I presume has her passport.

16 MS. WASHINGTON: That is correct, Your Honor. We are
17 in possession of her passport.

18 THE COURT: She would be subject to home detention
19 but with leave to attend school and any other -- well, attend
20 school and meetings with attorneys, et cetera.

21 Are there any other conditions that the Government
22 would seek to have the court consider?

23 MS. WASHINGTON: Your Honor, the Government would
24 request the conditions that are set forth in the Pretrial
25 Services Report including that her travel be restricted, that

1 she maintains residence with her parents.

2 THE COURT: Well, I've imposed home detention. So
3 that presupposes no travel except to -- well, certainly the
4 Central District and to -- well travel to wherever she needs
5 to go to school. Maintain residence with her parents which I
6 would -- there is a -- there was no response regarding drug
7 abuse. So I will impose that requirement that the Pretrial
8 Services is authorized to conduct drug testing and abuse,
9 substance abuse evaluation.

10 Is there anything further?

11 MS. WASHINGTON: No, Your Honor.

12 THE COURT: I need the addresses of the properties
13 and the owners of the properties for the clerk to be able
14 to --

15 MR. RING: Your Honor, I'm going to go right to the
16 stand, Your Honor.

17 (Off the record at 2:55 p.m.)

18 (Back on the record at 3:04 p.m.)

19 THE CLERK: We're back on the record.

20 THE COURT: Counsel, I don't know whether the co-
21 signers have -- let me go on the record here.

22 Have the co-signers had an opportunity to review the
23 entire bond and order setting conditions of release and have
24 you gone over it with them so that they understand the
25 obligations?

1 MR. RING: We would like to do a brief --

2 THE COURT: Let's recess because I want to make sure
3 they understand it. They're undertaking some major
4 obligations. I don't want there to be any confusion about
5 that. So we'll put this on for a second call and I'll take
6 some other matters.

7 (Off the record at 3:04 p.m.)

8 (Back on the record at 3:22 p.m.)

9 THE CLERK: Second call. We're back on the record,
10 USA v. Marsha Reynolds, 16-M-284.

11 THE COURT: I now have the form of the order setting
12 conditions of release which also includes an appearance bond
13 and I understand that various co-signers as well as the
14 defendant have now signed the bond but I will be addressing
15 them. So I will ask my courtroom deputy to administer an
16 oath.

17 THE CLERK: Okay. So would the proposed sureties
18 raise your right hand. I have to swear you. The judge is
19 going to ask you all some questions on the record. Okay.

20 PROPOSED SURETIES, SWORN

21 THE CLERK: You have to say because it's recording.
22 So you can state your name for the record, please.

23 THE COURT: Counsel, can you allow the surety to
24 approach a little bit? Thank you.

25 THE CLERK: So please say your name for the record.

1 DR. SLATER: My name is Susan Slater.

2 THE CLERK: Thank you.

3 MS. REYNOLDS: Vanessa Reynolds.

4 THE CLERK: Thank you.

5 MR. REYNOLDS: Joseph Reynolds.

6 MR. AMOS: My name is [inaudible] Amos.

7 THE COURT: Dr. Slater, let me ask you first. This
8 is your signature on this document?

9 DR. SLATER: Can I see, please?

10 THE COURT: You certainly may.

11 DR. SLATER: Yes, sir.

12 THE COURT: Ms. Reynolds, did you sign this document?

13 MS. REYNOLDS: Yes, I did.

14 THE COURT: Mr. Reynolds, did you sign the document?

15 MR. REYNOLDS: Yes, I did.

16 THE COURT: Mr. -- is it Mr. Amos? Is that your
17 signature?

18 MR. AMOS: Yes.

19 THE COURT: Ms. or Dr. Slater, what is your relation
20 to Ms. Reynolds, how do you know her?

21 DR. SLATER: She's one of my member.

22 THE COURT: When you say -- what do you mean --

23 DR. SLATER: I'm a pastor.

24 THE COURT: Of a church.

25 DR. SLATER: Of a church, yes.

1 THE COURT: How long have you known her?

2 DR. SLATER: I know her about six years.

3 THE COURT: All right. Ms. Reynolds and Mr.
4 Reynolds, it's been represented that you are the parents of
5 Ms. Marsha-Gay Reynolds; is that correct?

6 MS. REYNOLDS: Yes, and I go to the same church.
7 That's my pastor also.

8 THE COURT: All right. Mr. Amos, what is your
9 relation to Ms. Reynolds?

10 MR. AMOS: Church sister.

11 THE COURT: I'm sorry.

12 MR. AMOS: Church sister.

13 MR. RING: A church sister.

14 THE COURT: A church sister. She is a church sister
15 of yours.

16 MR. AMOS: Right.

17 THE COURT: All right. I see. Dr. Slater, I
18 understand that you own some property at 109-44 142nd Street
19 in South Ozone Park.

20 DR. SLATER: Yes, Your Honor.

21 THE COURT: Am I correct in understanding that you
22 own that with Mr. Amos jointly?

23 DR. SLATER: I would say I put him on it. I would
24 say yes.

25 THE COURT: Well, I'm a little confused.

1 MR. RING: I think what she's saying is she -- it was
2 her home but she added him to the deed, her son. She added
3 her son to the deed so --

4 THE COURT: Do we have the deed?

5 MR. RING: We don't, no, Judge.

6 DR. SLATER: No, I'll give it to you tomorrow.

7 THE COURT: You are an owner of the property?

8 DR. SLATER: Yes, Your Honor.

9 THE COURT: And Mr. Amos is listed as an owner of the
10 property on the deed?

11 DR. SLATER: Yes, because added is just the same.

12 THE COURT: Is anyone else listed on the deed?

13 DR. SLATER: No, Your Honor.

14 THE COURT: Is there a mortgage on the property?

15 DR. SLATER: I would say some of a mortgage like 70
16 something thousand.

17 THE COURT: Do you know the approximate value of the
18 property?

19 DR. SLATER: Oh, the mortgage?

20 THE COURT: Not on the mortgage. Of the property,
21 the value of the property.

22 DR. SLATER: It's about \$500,000.

23 THE COURT: I understand that Ms. Reynolds, Ms.
24 Vanessa Reynolds you are the owner of some property at 120-14
25 166th Street in Jamaica. Is that correct?

1 MS. REYNOLDS: Yes.

2 THE COURT: Is there any other owner of that property
3 at least on the deed?

4 MS. REYNOLDS: No.

5 THE COURT: Is there -- what is the approximate value
6 of that property?

7 MS. REYNOLDS: It's about 300 and something thousand.

8 THE COURT: Do you know the amount of any mortgage
9 that's on the property, the outstanding amount of the
10 mortgage?

11 MS. REYNOLDS: No, I don't know.

12 THE COURT: Do you have even a rough idea of that?

13 MS. REYNOLDS: No.

14 THE COURT: Is there a mortgage? I'm making an
15 assumption. Is there a mortgage on the property?

16 MS. REYNOLDS: Yes, there's a mortgage.

17 THE COURT: And you just don't know how much there is
18 outstanding on that?

19 MS. REYNOLDS: No, I never check on that.

20 THE COURT: Counsel, the Government is entitled to
21 get complete information about the value of the property, at
22 least to the extent that you're able to ascertain it as well
23 as the status of any mortgages on these properties.

24 MR. RING: I think I could give you a rough estimate
25 but from our conversations I think the bulk of the security is

1 coming from Reverend Slater's home and it may be about
2 \$100,000 in security coming from the Reynolds home. So, in
3 other words, I would say roughly \$400,000 from the first home
4 and roughly \$100,000 from the second home is our best guess.

5 THE COURT: All right. Ms. Reynolds, are you
6 employed?

7 MS. REYNOLDS: Yes, I am.

8 THE COURT: What is your occupation, approximately
9 how much do you earn?

10 MS. REYNOLDS: I'm a nurse.

11 THE COURT: And approximately how much do you earn
12 annually?

13 MS. REYNOLDS: About 85 to 90,000.

14 THE COURT: Mr. Reynolds, are you employed, sir?

15 MR. REYNOLDS: Yes, sir.

16 THE COURT: What is your occupation and approximately
17 how much do you earn?

18 MR. REYNOLDS: Public safety. It's about 25.

19 THE COURT: Each of you should understand -- let me
20 just confirm this. I did -- we adjourned so that you could
21 have an opportunity to read the document that you've signed.
22 Did each of you have an adequate opportunity to review the
23 document and to have it explained to you? Ms. Sla -- Dr.
24 Slater?

25 DR. SLATER: Yes, Your Honor.

1 THE COURT: Ms. Reynolds.

2 MS. REYNOLDS: Yes.

3 THE COURT: Mr. Reynolds.

4 MR. REYNOLDS: Yes.

5 THE COURT: Mr. Amos?

6 MR. AMOS: Yes.

7 THE COURT: You should each understand that by
8 signing this document you've obligated yourselves to pay
9 \$500,000 in the event that Marsha-Gay Reynolds fails to appear
10 in court when she's required to appear or if she otherwise
11 should violate any of the conditions that are set forth in
12 this document that permit her to be released. That's the
13 obligation you've undertaken.

14 Dr. Slater, Mr. Amos and Ms. Reynolds, if that
15 obligation should become payable the Government could seize
16 and sell the property that you've posted as security and use
17 the proceeds of that -- of those sales to pay down the
18 obligation. If the proceeds of the sales aren't sufficient to
19 pay it off then each of you would be still liable for the
20 balance up to \$500,000. So that's the obligation you've each
21 undertaken.

22 Ms. -- Dr. Slater, do you understand that?

23 DR. SLATER: Can you repeat one more time, please?

24 THE COURT: Certainly. By signing this document you
25 have obligated yourselves to pay --

1 DR. SLATER: Yes.

2 THE COURT: -- \$500,000 in the event that Marsha-Gay
3 Reynolds fails to appear in court when she's required to
4 appear in court or if she otherwise should violate the
5 conditions of release that are set forth in the document that
6 you signed. If that obligation becomes payable because she
7 fails to appear or otherwise violates conditions of release
8 then the Government can seize and sell the property that each
9 of you have posted, that is your residence, Dr. Slater and Mr.
10 Amos, and the residence owned by Ms. Reynolds, use the money
11 that is generated by those sales to pay down the \$500,000
12 obligation. And if there's not enough that comes from the
13 sale of those properties to pay the entire \$500,000 then
14 everyone is still liable for the difference up to \$500,000.
15 So that's the obligation that each of you is undertaking.

16 So I just want to confirm that you understand that.

17 DR. SLATER: I understand, Your Honor.

18 THE COURT: Ms. Reynolds.

19 MS. REYNOLDS: I understand.

20 THE COURT: Mr. Reynolds.

21 MR. REYNOLDS: Yes, sir.

22 DR. SLATER: Thank you very much.

23 THE COURT: Mr. Amos.

24 MR. AMOS: I understand.

25 THE COURT: Now, we don't have a provision here for

1 filing a confession of judgment but that needs to be done
2 by -- is there any reason that can't be done by next Tuesday,
3 three days from now?

4 MR. RING: No reason, Judge. We can get that done.

5 THE COURT: That will be March 29th. Thank you.

6 Ms. Reynolds, it appears that you signed this
7 signature -- you signed this document as well. Is that your
8 signature? You can stay there. We can give this to you. If
9 you could just give this to Ms. Reynolds. Is that your
10 signature at the bottom?

11 MS. REYNOLDS: Yes, Your Honor.

12 THE COURT: You've undertaken the same obligation
13 that I explained to the co-signers. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: I should also warn you that if you fail
16 to appear or if you otherwise violate conditions of release
17 you can be arrested and prosecuted for another crime, the
18 crime of bail jumping which carries substantial penalties over
19 and above those that apply to the offense that you're now
20 charged with.

21 I do want to add for the record that one of the
22 principle considerations in deciding that Ms. Reynolds is not
23 a risk of non appearance is the fact that she did surrender
24 herself notwithstanding that at the time of the offense, at
25 least as I understand the complaint, there was an effort to

1 evade the authorities. Nevertheless, Ms. Reynolds did
2 voluntarily surrender subsequently and I find that of
3 significance in making the decision that she is a suitable
4 bail risk.

5 Nevertheless as I understand it the Government does
6 wish to contact the U.S. Attorney's Office in the Central
7 District of California which they are entitled to do and
8 therefore I will stay the release of Ms. Reynolds. They're
9 three hours behind us.

10 MS. WASHINGTON: Correct. So 24 hours should be
11 sufficient, Your Honor.

12 THE COURT: All right. We will ask Ms. Reynolds to
13 be returned here in 24 hours. I'll have to hold Ms. Reynolds
14 until that point. So we'll put it on for 2:00 tomorrow
15 afternoon.

16 MS. WASHINGTON: Just to advise Your Honor, I did get
17 confirmation that we do have an extradition treaty with
18 Jamaica although they are not obligated to extradite their own
19 nationals but that's not of significance because she is a U.S.
20 citizen.

21 THE COURT: There's no question of preliminary
22 hearing as I understand it.

23 MS. WASHINGTON: That's correct, Your Honor.

24 THE COURT: Is there any other matter for us to
25 address today?

1 MR. RING: No.

2 MS. WASHINGTON: Not at this time.

3 THE COURT: Then we are adjourned. Thank you.

4 MS. WASHINGTON: Thank you.

5 (Proceedings concluded at 3:33 p.m.)

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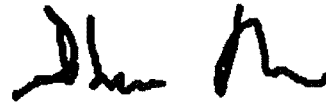
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1 I certify that the foregoing is a court transcript from
2 an electronic sound recording of the proceedings in the above-
3 entitled matter.

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Shari Riemer

7 Dated: March 30, 2016
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EXHIBIT B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
:
Plaintiff, : 16-MJ-00284 (VVP)
:
v. : March 25, 2016
:
MARSHA-GAY REYNOLDS, : Brooklyn, New York
:
Defendant. :
-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR BOND HEARING
BEFORE THE HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: ALICIA WASHINGTON, ESQ.
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For the Defendant: DENNIS RING, SEIFAN, ESQ.
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New York, New York 10007

Court Transcriber: SHARI RIEMER, CET-805
TypeWrite Word Processing Service
211 N. Milton Road
Saratoga Springs, New York 12866

Proceedings recorded by electronic sound recording,
transcript produced by transcription service

1 (Proceedings began at 2:21 p.m.)

2 THE CLERK: This is Criminal Cause for Status
3 Conference, USA v. Marsha-Gay Reynolds, Case No. 16-M-284.

4 Counsel, your name for the record.

5 MS. WASHINGTON: Alicia Washington for the United
6 States. Good afternoon, Your Honor.

7 MR. MAZARIN: Brad Mazarin for Ms. Reynolds, Your
8 Honor.

9 MR. RING: And Dennis Ring for Ms. Reynolds. Good
10 afternoon.

11 THE COURT: Good afternoon. In response to the
12 Government's request for review of my bail decision yesterday,
13 the district judge in California, Andre Birotte, Jr. has
14 issued a further stay of the order granting release and will
15 consider the application for review before him on April 7th at
16 1:30. This is in the Central District which I think is Los
17 Angeles.

18 MS. WASHINGTON: That's correct, Your Honor.

19 THE COURT: So in the meantime Ms. Reynolds is to be
20 transported in custody. So I will have to enter a commitment
21 order to commit her to the custody of the Marshals for
22 transportation and I do -- I did tell Judge Birotte's clerk
23 that I would urge that the Marshals make every effort to get
24 Ms. Reynolds to the Central District by April 7th which is the
25 day of the hearing.

1 MR. MAZARIN: Judge, I just had a procedural question
2 I guess. Because I spoke with Mr. Goldfarb out in California
3 yesterday and he indicated to me that one of the members of
4 the U.S. Attorney's Office had spoken to him and asked him to
5 stipulate that she could be -- that Ms. Reynolds could be
6 brought out to California and he said no and then two hours
7 later there was basically a statement that oh, we got an order
8 ex parte. I found that -- I don't appear in federal court a
9 lot so I don't know the way things are done but I found it odd
10 that we had a very fairly conducted contested hearing here
11 regarding Ms. Reynolds bail and then later on ex parte when
12 she has counsel in California that ex parte this is just
13 basically undone out in California. I just found out it
14 strange.

15 THE COURT: Well, I don't know what happened in
16 California. It's not strange that review of a bail
17 determination is made in the district that issued the warrant.
18 So I don't think it's accurate to say that the court has
19 undone what happened here yesterday. It is simply that the
20 court is going to review the bail determination out there --

21 MR. MAZARIN: Understood.

22 THE COURT: -- rather than here and I'm not -- I
23 don't know what this means. I don't think you necessarily
24 have to believe that bail won't be granted out there. This
25 is -- it's a review of the bail decision. It's being done in

1 California and pending that review the judge there believed
2 that Ms. Reynolds should remain in custody.

3 MR. MAZARIN: Understood. Your Honor, to be clear
4 just the part that I was referring to as strange was that it
5 was -- that the order was issued ex parte by Mr. -- Mr.
6 Goldfarb is her counsel out in California and I'm aware of
7 that. I would have thought there would be some kind of
8 meeting that included her counsel out there before the stay
9 was granted and that's really all. That was really the part
10 that I had found unusual.

11 THE COURT: Noted for the record.

12 MR. RING: Your Honor, I just -- one issue that may
13 not need to be addressed at this point but obviously we're
14 hopeful that the bail package will be reviewed in California
15 and found to be sufficient and Ms. Reynolds will be released.

16 In reviewing the equity and the two homes that were
17 posted yesterday that the two folks had signed off, her mother
18 and her pastor, taking a very conservative approach using the
19 city's market value and the current mortgage it appeared to me
20 that it was a little -- about \$180,000 short in equity. So I
21 told the family they could have another family friend who's
22 here who's willing to put up her property. I have the deeds
23 and everything on that. There's definitely sufficient equity
24 in that. In the interest of maybe expediting I obviously hope
25 that she's going to get this package approved. That suretor

1 is here and we could add her today if you'd like to do that,
2 Your Honor.

3 THE COURT: I think it's best to leave all of that to
4 the court in California. I'm not even sure that I have
5 jurisdiction to enter a further order at this point. But, in
6 any event, I think that all of that should be dealt with out
7 in California.

8 MR. RING: Okay. Very good, Your Honor.

9 MS. WASHINGTON: Thank you, Your Honor.

10 THE COURT: If there's nothing else we're adjourned.
11 (Proceedings concluded at 2:30 p.m.)

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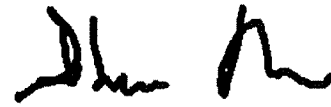
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